

**Special Meeting Summary**  
**Thursday, July 30, 2009**  
**Meeting Scheduled Start Time: 10:00 AM**

**BOARD OF SUPERVISORS**  
**Maricopa County, Arizona**  
(and the Boards of Directors of the Flood Control  
District, Library District, Stadium District, Improvement  
Districts, and/or Board of Deposit)



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Sullivan Conference Room  
301 W. Jefferson, 10th Floor  
Phoenix, Arizona 85003

## **BOARD OF SUPERVISORS**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 10:00 AM on Wednesday, July 30, 2009, in the Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2; Andrew Kunasek, District 3. Absent: Mary Rose Wilcox, District 5; Fulton Brock, District 1. Also present: Constance Copeland, Deputy Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney.

**Chairman's Statement regarding County Attorney Conflict:**

For the record, the Board has previously expressed concerns about the adversarial positions that the county attorney's office has often taken against the board. This concern has caused the Board to retain independent counsel to analyze this apparent ethical conflict and to take actions that may be warranted. The analysis and response is ongoing. In light of these concerns, the Board in no way waives any conflict or ethical issues that exist as a result of the county attorney's presence here.

### **PUBLIC DEFENDER**

**1. EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT/ DRUG ENFORCEMENT ACCOUNT FUNDING INCREASE**

Approve an increase in the authorized amount for the Public Defender (520) application and acceptance of grant funds from the Edward J. Byrne Memorial Justice Assistance Grant/ Drug Enforcement Account (DEA) to \$451,695. On July 22nd the Board authorized the application and acceptance of these funds for a lesser amount of \$342,187. That figure was the FY 2008-09 actual grant award and the FY 2009-10 budgeted amount. The Office of the Public Defender's share of the funds allocated for Maricopa County is now higher than had been anticipated just one week ago. As a result, an amendment to the original agenda item is requested.

The grant does not allow for the recovery of indirect costs. Therefore, the Office of the Public Defender and Maricopa County will receive no administrative cost recovery for this grant in FY 2009-10. The Maricopa County Department of Finance has calculated the

Office of the Public Defender's composite indirect cost rate at 10.0%. The non-recoverable indirect cost will not exceed \$45,170.

For FY 2009-10 the DEA Grant requires a 21.22% match. The Office of the Public Defender intends to provide an in-kind match through designation of existing General Fund staff to meet this requirement.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C-52-09-006-G-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Kunasek  
Ayes: Kunasek, Stapley, Wilson  
Absent: Wilcox, Brock

## **2. EXECUTIVE SESSION**

Vote to convene in Executive Session to consider the items on the Special Executive Agenda dated July 30, 2009, pursuant to the statutory authority listed for each item.

The Deputy Clerk announced that there were no items for executive session. No action would be taken.

## **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Connie Copeland, Deputy Clerk of the Board